

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	8:09CR142
)	
v.)	
)	
DAVID W. KOFOED,)	ORDER
)	
Defendant.)	
_____)	

This matter is before the Court on defendant's appeal (Filing No. [38](#)) from the magistrate judge's order regarding his motion for bill of particulars (Filing No. [25](#)). On June 19, 2009, the defendant filed a motion for bill of particulars (Filing No. [13](#)). Following briefing, the magistrate judge entered an order on July 10, 2009, denying defendant's motion for bill of particulars. On July 17, 2009, defendant filed his statement of appeal (Filing No. [31](#)). The parties have briefed the matter. The Court has reviewed the motion for bill of particulars, the magistrate judge's order, and the briefs of the parties.

Pursuant to 28 U.S.C. § 636(b)(1)(A), the Court may reconsider any pretrial matter under this subparagraph where it has been shown that the magistrate judge's order "is clearly erroneous or contrary to law." The Court finds that the defendant has failed to show that the magistrate judge's order is clearly erroneous or contrary to law, and the order of the

magistrate judge concerning the bill of particulars will be affirmed. Accordingly,

IT IS ORDERED that the order of the magistrate judge concerning the bill of particulars is approved and adopted; defendant's motion for bill of particulars is denied.

DATED this 20th day of August, 2009.

BY THE COURT:

/s/ Lyle E. Strom

LYLE E. STROM, Senior Judge
United States District Court